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Attorney Docket No. 4752-105.1 US

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 9, 2004.


Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
HARCHEKAR et al.

Application No. 10/823,423

Filed: April 12, 2004

Title: Cu-Zn-Al(6%) SHAPE MEMORY
ALLOY WITH LOW MARTENSITIC
TEMPERATURE AND A PROCESS
FOR ITS MANUFACTURE

Group Art Unit: 1742

Examiner: WYSZOMIERSKI, George

x

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REINSTATE FILING DATE

Sir:

In a Notice of Incomplete Nonprovisional Application, attached hereto, it was stated that the above-described patent application was filed without drawings and has not been accorded a filing date. Applicants submit that the drawings are not necessary for the understanding of the subject matter sought to be patented. However, applicants submit that the drawings are part of co-pending U.S. Patent Application No. 10/051,877 filed October 25, 2001, the disclosure of which is fully incorporated by reference into the present application.

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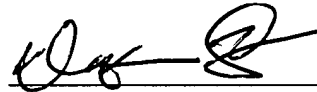
Applicants submit herewith a Preliminary Amendment submitting the drawings which were filed with the parent application. No new matter has been added. Accordingly, Applicants request that the filing date of April 12, 2004, be accorded to the above-described application.

Applicants acknowledge that pursuant to 37 C.F.R. § 1.17(h), a petition fee of \$130.00 is required. However, Applicants request refund of the petition fee, as the application is entitled to a filing date.

Should the Commissioner feel that a petition is necessary, the Commissioner is hereby authorized to charge the petition fee to Deposit Account No. 13-2165. Please charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: July 9, 2004



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